UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/50/551
13 October 1995

ORIGINAL: ENGLISH

Fiftieth session
Agenda item 95 (i)

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: INTERNATIONAL COOPERATION FOR THE ERADICATION OF POVERTY IN DEVELOPING COUNTRIES

Draft programme for the observance of the International Year for the Eradication of Poverty (1996)

Report of the Secretary-General

I. INTRODUCTION

1. At its forty-eighth session, the General Assembly, by its resolution 48/183 of 21 December 1993, proclaimed 1996 International Year for the Eradication of Poverty. At its forty-ninth session, the Assembly, in its resolution 49/110 of 19 December 1994, took note of the report of the Secretary-General on the International Year for the Eradication of Poverty (A/49/572) and requested the Secretary-General, in consultation with all States, concerned specialized agencies, programmes and organs of the United Nations system, relevant international organizations, non-governmental organizations and interested groups, to achieve at an early date the elaboration of the draft programme concerning the preparations for and observance of the Year, containing the objectives, principles, themes and main recommendations for the Year, which should be consistent with the challenge of poverty and the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development, 1/ and to submit a final report thereon to the Assembly for consideration at its fiftieth session, with the aim of ensuring that the Year makes a distinct and significant contribution to the efforts to eradicate poverty.

2. In response to resolution 49/110 and to facilitate an initial exchange of views at the substantive session of 1995 of the Economic and Social Council on a possible programme to observe the Year, the Secretariat prepared a note containing elements of a draft programme for the Year. 2/ The draft programme took into account, and followed closely, the Copenhagen Declaration and

95-31117 (E) 301095 011195

Programme of Action of the World Summit for Social Development. It also reflected the resolutions and decisions adopted at the thirty-ninth session of the Commission on the Status of Women, the thirty-fourth session of the Commission for Social Development, and the third session of the Commission on Sustainable Development as well as the results of informal consultations within the United Nations system and with concerned non-governmental organizations.

3. The present report elaborates on the proposals contained in the above-mentioned note, taking into account the observations and suggestions made subsequently in response to the note verbale of the Secretary-General of June 1995 addressed to Member States, as well as additional information provided by entities of the United Nations system, other intergovernmental organizations and non-governmental organizations.

II. OVERALL ORIENTATION

4. Subsequent to the adoption of General Assembly resolutions 48/183 and 49/110, the heads of State and Government at the World Summit for Social Development launched a global drive for social progress and development embodied in 10 commitments. 3/ Commitment 2 reads in part as follows: "We commit ourselves to the goal of eradicating poverty in the world, through decisive national actions and international cooperation, as an ethical, social, political and economic imperative of humankind". 4/ To this end, heads of State and Government undertook to formulate or strengthen, as a matter of urgency, and preferably by the year 1996, the International Year for the Eradication of Poverty, national policies and strategies geared to substantially reducing overall poverty in the shortest possible time, reducing inequalities and eradicating absolute poverty by a target date to be specified by each country in its national context. 5/

5. In chapter II of the Programme of Action of the World Summit for Social Development, a strategy for the eradication of poverty is outlined, containing suggestions for priority action at the national level as well as supporting activities at the international level. The Programme of Action calls on Governments to increase public efforts to eradicate absolute poverty and to reduce overall poverty substantially, inter alia, by formulating or strengthening, preferably by 1996, and implementing national poverty eradication plans to address the structural causes of poverty, encompassing action on the local, national, subregional, regional and international levels. These plans should establish, within each national context, strategies and affordable time-bound goals and targets for the substantial reduction of overall poverty and the eradication of absolute poverty. In the context of national plans, particular attention should be given to employment creation as a means of eradicating poverty, giving appropriate consideration to health and education, assigning a higher priority to basic social services, generating household income and promoting access to productive assets and economic opportunities. 6/ Public efforts to eradicate poverty should also be increased by elaborating, at the national level, the measurements, criteria and indicators for determining the extent and distribution of absolute poverty. Each country should develop a precise definition and assessment of absolute poverty, preferably by 1996.

6. In chapter V of the Programme of Action on implementation and follow-up, among the requirements specified for the promotion of an integrated approach to the implementation of the Programme of Action at the national level, in accordance with national specificities, is formulating or strengthening, by 1996, comprehensive cross-sectoral strategies for implementing the Summit outcome and national strategies for social development, including government action, actions by States in cooperation with other Governments, international, regional and subregional organizations, and actions taken in partnership and cooperation with actors of civil society, the private sector and cooperatives, with specific responsibilities to be undertaken by each actor and with agreed priorities and time-frames. 7/

7. The Programme of Action also calls on the General Assembly to review, in 1996, the effectiveness of the steps taken to implement the outcome of the Summit with regard to poverty eradication, as part of the activities relating to the International Year for the Eradication of Poverty. Furthermore, it also calls on the General Assembly at its fiftieth session to declare the first United Nations decade for the eradication of poverty, following the International Year for the Eradication of Poverty (1996), with a view to its considering further initiatives on the eradication of poverty. 8/

8. The concept of poverty developed in the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development is broad. Poverty is not just inadequate income, but also includes lack of access to education, health care and other amenities, and exclusion from participation in the life of the community.

9. The Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development emphasize the need to focus efforts and policies on the root causes of poverty and the necessity to provide for the basic needs of all. These include the elimination of hunger and malnutrition; the provision of food security, education, employment and livelihood, primary health-care services, including reproductive health care, safe drinking water and sanitation, and adequate shelter; and participation in social and cultural life. Special priority should be given to the needs and rights of women and children, who often bear the greatest burden of poverty, and to the needs of vulnerable and disadvantaged groups and persons. The Programme of Action also stresses that people living in poverty should have access to productive resources, including credit, land, education and training, technology, knowledge and information, as well as to public services, and should be able to participate in the elaboration of policies and the creation of a regulatory environment that would expand employment and economic opportunities. In addition, all people must be provided with adequate economic and social protection during unemployment, ill health, maternity, child-bearing, widowhood, disability and old age. 9/

10. The texts adopted at Copenhagen link the reduction of poverty with the reduction of inequalities. Opportunities for access to resources and income should be enhanced, and political, legal, economic and social factors and constraints that foster and sustain inequality should be removed. Furthermore, national budgets and policies should be oriented, as necessary, towards meeting

basic needs, reducing inequalities and targeting poverty, as a strategic objective.

III. OBJECTIVES, PRINCIPLES AND THEME FOR THE INTERNATIONAL YEAR FOR THE ERADICATION OF POVERTY

11. The overarching objective of the Year may appropriately be derived from the decisions of the General Assembly that lead up to the proclamation of 1996 as the International Year for the Eradication of Poverty. In particular, the Assembly in its resolution 49/110 reaffirms that the major activities for the observance of the Year should be undertaken at all levels and that assistance should be provided by the United Nations system with a view to creating among States, policy makers and international public opinion a greater awareness of the fact that the eradication of poverty is both a complex and a multidimensional problem and fundamental to reinforcing peace and achieving sustainable development.

12. The significance of the activities to be undertaken during the Year should be judged largely on the extent to which they succeed in focusing attention, at all levels and among all sections in society, on the need to take seriously the substantive objective of eradicating poverty and instilling in the public consciousness that this is a reachable goal within a reasonable time span. Thus the aim of the activities during the Year should be to build the support structure for a longer term, sustained effort to implement the commitments undertaken and the basic programme already agreed upon at the World Summit for Social Development. The Declaration and Programme of Action agreed upon at Copenhagen established the necessary policies and actions to eradicate poverty, and the focus of the Year should thus be to ensure its timely implementation.

13. To this end, activities at all levels, national and international, public and private, might be guided by the following principles:

(a) The eradication of poverty requires a sustained, collective commitment and effort by national and local governments, civil society, business and corporations, supported by the international community, including in particular, regional and international organizations;

(b) The eradication of poverty requires measures to ensure that people living in poverty have access to the resources and opportunities necessary to escape from poverty, as well as measures to ensure that all members of society are protected from poverty as a result of illness, loss of employment, natural disaster or other misfortune;

(c) The eradication of poverty requires that all have access to basic social services and can participate in the economic, social, cultural and political life of society;

(d) The eradication of poverty requires that women be given the economic and social opportunities to contribute to development and that anti-poverty strategies and programmes be designed with a specific gender dimension;

(e) The eradication of poverty requires the development of targeted programmes to meet the needs of particular social and demographic groups, including young people, older persons, persons with disabilities and other groups or persons with special needs;

(f) The eradication of poverty requires that anti-poverty strategies and programmes be designed, implemented and monitored with the full participation of people living in poverty;

(g) The eradication of poverty requires increased and more effective support by the international community for broad-based development in developing countries, in particular in Africa and the least developed countries.

14. In the light of General Assembly resolutions 48/183 and 49/110 and of the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development, the Assembly may wish to adopt a theme for the Year. The theme might be "Poverty can be and must be eradicated throughout the world". The implementation of this theme would require a sustained, long-term commitment by Governments and all other actors in society, as well as the support of the international community.

IV. ACTIVITIES IN OBSERVANCE OF THE INTERNATIONAL YEAR FOR THE ERADICATION OF POVERTY

15. In the light of the above-mentioned decisions and recommendations of the World Summit for Social Development, as well as the recommendations of the Fourth World Conference for Women, the International Conference on Population and Development and the World Summit for Children, the following major activities are proposed for the observance of the International Year for the Eradication of Poverty:

(a) Every country should, with the support of the international community, formulate or strengthen a long-term national strategy for eradicating poverty;

(b) National and international organizations, including educational institutions, the media and other institutions of civil society, should promote awareness of the extent and nature of poverty, its destructive consequences both for the people concerned and for society as a whole, and effective measures for reducing and eradicating poverty;

(c) Countries and international organizations should increase support for research and dissemination of information on the extent and distribution of poverty, on its causes and consequences and on effective measures for reducing and eradicating poverty;

(d) Countries and international organizations should organize and participate in meetings to exchange information on their achievements and problems in reducing and eradicating poverty;

(e) Countries should encourage the development of community organizations, particularly in communities with a high incidence of poverty, and encourage and

support participation of such organizations in efforts to eradicate poverty and in the activities of the Year.

16. Furthermore, in accordance with the recommendation of the World Summit for Social Development, the General Assembly could, at its fiftieth session, declare the first United Nations decade for the eradication of poverty, following the International Year for the Eradication of Poverty, with a view to its considering further initiatives on the eradication of poverty; the United Nations, other international organizations and Member States should then develop plans and programmes for the decade.

17. Based on the experience of years and decades and other similar events organized under the auspices of the United Nations system, which are intended principally to create awareness and promote understanding of critical issues and mobilize resources and action at all levels, examples of possible activities are listed in the following paragraphs. These are followed by a summary of special activities for the observance of the Year planned by the United Nations system in support of national and local-level activities.

A. Activities that may be undertaken at the national and local levels

18. A coordinated approach by Governments, at national and sub-national levels, as well as the widest possible participation of the different private groups and actors in society, would best help to ensure progress towards eradicating poverty. Such a coordinated approach could be facilitated by the establishment of national coordinating mechanisms, with both governmental and non-governmental representation. Where such coordinating mechanisms were already set up to assist national preparations for the World Summit for Social Development, they might form the nucleus of organizational arrangements for preparing and monitoring national strategies to follow up the commitments and recommendations relating to the Summit objective of eradicating poverty. Coordinating bodies, or similar mechanisms at the national level, could also be responsible for disseminating information about the objectives, guiding principles and theme of the Year, particularly at the local level; encouraging actions within the community in observance of the Year; and, especially in respect of possible local-level initiatives, elaborating long-term strategies in the context of a United Nations decade for the eradication of poverty.

19. The dissemination of information is critical to any publicity campaign. Thus, in order to create a wide forum for the exchange of experiences and discussion of problems and solutions, and to mobilize public awareness, enhance participation, and stimulate action and cooperation to promote the objectives of the Year, the responsible national authorities should seek:

(a) The active involvement of the media and other sources of public information and opinion from the earliest stage onwards;

(b) The organization of a regular, up-to-date information provision and exchange system;

(c) The creation, production, distribution and use of printed, visual and audio information materials (databases, guides for action, inventories of action, progress reports, booklets, recurrent bulletins/newsletters, circular letters, press releases, press kits, posters, coins, stamps, souvenirs, television and radio programmes, video and audio cassettes);

(d) The involvement of prominent citizens in different walks of life in promoting the Year's objectives, theme and activities.

20. Activities need to encourage outreach to and the involvement of people living in poverty and their organizations in the setting of targets and in the design, implementation, monitoring and assessment of national strategies and programmes for poverty eradication and community-based development, ensuring that such programmes reflect their priorities. Examples of specific activities to this end are:

(a) Encouragement and support for local community development projects that foster the skill, self-reliance and self-confidence of people living in poverty and that facilitate their active participation in efforts to eradicate poverty;

(b) Support for the creation and development of community organizations and non-profit non-governmental organizations, particularly among the disadvantaged and vulnerable people in the spheres of poverty, education, health, social integration, human rights, improvement of the quality of life and relief and rehabilitation, thus enabling them to participate constructively in policy-making and implementation;

(c) Effective participation of such organizations as part of national coordinating mechanisms for observance of the Year, and provision to them of comprehensive information and other facilitative support;

(d) Provision of resources through such measures as small grant programmes and technical and other administrative support for initiatives taken and managed at the community level;

(e) Identification of existing national and international non-governmental organizations most concerned with the objectives, principles and themes of the Year and establishment of close collaboration and partnership with them.

21. The development of national policies to ensure that people living in poverty have access to basic social services, to economic opportunities that promote sustainable livelihood and to social protection during unemployment, ill health, maternity, disability and old age may be facilitated by the following measures:

(a) Review and appraisal of existing legal systems, programmes and services and their impact on the poor;

(b) Removal of any political, legal, economic and social factors, constraints and structural barriers that foster and sustain inequality in society and prevent people from escaping poverty;

(c) Promotion of effective enjoyment by all people of civil, cultural, economic, political and social rights, and access to existing social protection and public services, in particular through encouraging the ratification and ensuring the full implementation of relevant human rights instruments;

(d) Establishment of legislative and regulatory frameworks, institutional arrangements and consultative mechanisms for involving community organizations and non-profit non-governmental organizations in the design, implementation and evaluation of social development strategies and programmes.

22. Research on the effectiveness of different approaches to poverty eradication, and the dissemination of research results, is critical. The Year could help to stimulate action by encouraging:

(a) The active involvement of academic, research and educational institutions in observation of the Year, including in the work of the national coordinating mechanisms;

(b) The development, updating and dissemination of specific indicators of poverty and vulnerability, including income, wealth, nutrition, physical and mental health, education, literacy, family conditions, unemployment, social exclusion and isolation, homelessness, landlessness and other factors, as well as indicators of the national and international causes underlying poverty; for this purpose, the gathering of comprehensive and comparable data, disaggregated by ethnicity, gender, disability, family status, language groupings, regions and economic and social sectors;

(c) Systematic monitoring and assessment of the achievement of goals and targets agreed to in international forums in the area of social development; evaluating, quantitatively and qualitatively, changes in poverty levels, the persistence of poverty and vulnerability to poverty, particularly concerning household income levels and access to resources and services; and assessing the effectiveness of poverty eradication strategies, based on the priorities and perceptions of households living in poverty and low-income communities;

(d) Identification of the livelihood systems, survival strategies and self-help organizations of people living in poverty and working with such organizations to develop programmes for combating poverty that build on their efforts, ensuring the full participation of the people concerned and responding to their actual needs;

(e) Elaboration, at the national level, of the measurements, criteria and indicators for determining the extent and distribution of absolute poverty, its precise definition and assessment;

(f) Mobilization of the resources of universities and research institutions to improve the understanding of the causes of poverty and their solutions, as well as the impact of structural adjustment measures on people living in poverty and the effectiveness of anti-poverty strategies and programmes, strengthening the capacity for social science research in developing countries and integrating, as appropriate, the results of research into decision-making processes;

(g) Organization of national congresses and conferences, expert seminars and workshops to provide a forum for the exchange of opinions, information and experiences and for submitting proposals for action.

23. An important tool for promoting the objectives of the Year is to encourage the involvement in poverty eradication activities, through targeted campaigns, of different actors of society, such as business enterprises, trade unions, farmers' organizations and cooperatives. Activities could emphasize the importance of:

(a) Developing planning and policy-making procedures that facilitate partnership and cooperation between Governments and other actors of society in social development;

(b) Encouraging business enterprises to pursue investment and other policies, including non-commercial activities, that will contribute to social development, especially in relation to the generation of work opportunities, social support services at the workplace, access to productive resources and construction of infrastructure.

B. Activities for the observance of the International Year for the Eradication of Poverty planned by the United Nations system

24. Poverty has been a major concern, directly or indirectly, in the work of the entities of the United Nations system from the inception of the Organization. In the context of the United Nations Development Decades, and, more recently, in the context of the agenda for development, combating poverty has received critical attention. Following the decision by the General Assembly to convene a World Summit for Social Development, the different entities of the United Nations system have focused attention on how best to develop comprehensive approaches that would bring to bear, in an integrated manner, the different skills and experiences of the various agencies to the common goal of eradicating poverty. With the proclamation of the International Year for the Eradication of Poverty, the programmes, organs and specialized agencies have initiated, or are planning, special events and activities to promote the objectives of the Year. Information on these activities, as provided by the entities of the system and available at this point in time, is summarized below. Other regular activities related to the fight against poverty are listed in the report of the Secretary-General on international cooperation for the eradication of poverty in developing countries (A/50/396).

Department for Policy Coordination and Sustainable Development

25. The Department for Policy Coordination and Sustainable Development was designated by the General Assembly in its resolution 48/183 as the preparatory body for the Year. During the Year itself, the Department will be responsible for providing substantive support for the monitoring, in the context of the inter-agency machinery, of the activities to observe the Year. The Department will support a number of substantive and information activities relating to its responsibilities in the areas of sustainable development, women and social

groups, social integration and social welfare, including the preparation of a special issue of the International Social Development Review devoted to poverty and a newsletter.

26. Close contacts will be maintained with the non-governmental community participating in events to observe the Year. The World Summit for Social Development emphasized the essential role played by actors of civil society in the struggle against poverty and called in particular for a strengthening of "actions taken in partnership and cooperation with actors of civil society, the private sector and cooperatives". 10/ In the light of General Assembly resolutions 48/183 and 49/110 and of the decisions of the World Summit for Social Development, the Under-Secretary-General for Policy Coordination and Sustainable Development addressed a letter to international non-governmental organizations that took part in the preparatory process for the World Summit for Social Development. The aim of this letter was to emphasize the significance of the active participation of all actors of society, in particular non-governmental organizations, in the struggle against poverty; to inform them about the main activities the United Nations intended to undertake to observe the International Year for the Eradication of Poverty in 1996; and to ask for their cooperation in that respect.

Department for Economic and Social Information and Policy Analysis

27. Many of the population activities of the Department for Economic and Social Information and Policy Analysis have a direct bearing on poverty. The analytical studies of the Population Division of the social and economic causes and consequences of fertility, mortality and migration, relate to poverty issues. The Division's work programme in this field also includes a review of conceptual approaches to poverty and its measurement, and the interplay between demographic characteristics of the poor and the equivalence measures that underpin many of the poverty indicators. Some other relevant activities might be added to the work programme of the Department in the course of the year.

Department for Development Support and Management Services

28. The Department for Development Support and Management Services will do its utmost to cooperate with the family of the United Nations agencies to attain the objectives of the International Year for the Eradication of Poverty. It supports the idea that inter-agency teams should be placed at the disposal of developing countries that wish to formulate anti-poverty programmes and national strategies for the implementation of the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development. A number of projects of the Department related to the issue of poverty will come to fruition in 1996. They include: a study of poverty in the Arab region; poverty and the environment in Thailand, Viet Nam and Laos; social mapping of indigenous communities in Indonesia; and poverty alleviation in Tanzania. In order to assess the policy relevance of these projects, a workshop will be organized towards the end of 1996.

Department of Public Information

29. The responsibility of the Department of Public Information in relation to the International Year for the Eradication of Poverty is to raise awareness about the work of the United Nations in this field. One possible activity is a series of regional work media briefings on the outcome of the World Summit for Social Development, emphasizing the issue of poverty eradication, to be organized in cooperation with the Government of Denmark early next year on the first anniversary of the Summit. A number of United Nations information centres will utilize the occasion of the International Day for the Eradication of Poverty, 17 October, as well as the Year itself, to undertake activities to promote the work of the United Nations on the eradication of poverty. Members of the Joint United Nations Information Committee, chaired by the Department of Public Information, will collaborate and coordinate system-wide public information activities relating to the Year. The Department will also produce and disseminate an extended background on the issues related to poverty eradication and a brochure on the aims and purposes of the Year which will include a calendar of United Nations system-wide activities being planned during the Year. These products, in English, French and Spanish, will be disseminated through the network of 67 United Nations information centres and services, as well as field offices of the United Nations system, to media, non-governmental organizations, parliamentarians, national ministries, educational institutions and other members of civil society. A logo for the Year has been designed and selected. In addition, work is under way on a signature campaign (typeface, colours, masthead) for use on all products related to the Year.

Economic Commission for Europe

30. The Economic Commission for Europe (ECE) might include in its programme of work an appropriate segment related to the issue of poverty, in particular in the fields of economic analysis and projections, human settlements, migration and statistics. ECE is also considering organizing some special events devoted to the observance of the International Year for the Eradication of Poverty in cooperation with non-governmental organizations and the business community. In cooperation with the International Council on Social Welfare, ECE will mark the World Habitat Day in October 1996 by an event devoted to urban poverty. A similar event is planned for the observance of the International Day of Older Persons on 1 October 1996.

Economic Commission for Latin America and the Caribbean

31. The main activities of the Economic Commission for Latin America and the Caribbean (ECLAC) in connection with the observance of the Year, involve the preparation of statistical data and social indicators for analysing the social situation and designing anti-poverty programmes. A Panorama Social de America Latina will be published with key topics such as employment, income distribution, poverty and social and geographical location (rural and urban), as regards living conditions and opportunities for social mobility. The 1996 edition will expand the number of countries covered. Training will also be provided to national experts on the use of social indicators to identify the most disadvantaged social groups and determine their characteristics with respect to age, gender, kind of work, education and geographical location, and

to formulate alternative policies designed to alleviate poverty and improve living conditions. The Unit for the Integration of Women in Development will be monitoring progress achieved in the implementation of the Regional Programme of Action for the Women of Latin America and the Caribbean, 1995-2000, particularly those strategic actions aimed at substantially improving the conditions of the poor and at improving the quality of life of women, especially those in the poorest groups. The twenty-sixth session of the Commission will take place at San Jose, Costa Rica, from 15 to 20 April 1996.

Economic Commission for Asia and the Pacific

32. At its fifty-first session, the Economic Commission for Asia and the Pacific (ESCAP) adopted resolution 51/4 of 1 May 1995, entitled "Agenda for Action on Social Development in the ESCAP Region", in which the Commission requested the Executive Secretary of ESCAP, inter alia, to report to the Committee on Poverty Alleviation through Economic Growth and Social Development, at its third session, to be held in 1996, on the effectiveness of the steps taken to implement the Agenda for Action, with specific reference to poverty alleviation, within the context of the International Year for the Eradication of Poverty. A report to that effect will be prepared by the secretariat, and it is envisaged that ESCAP members and associate members, as well as United Nations bodies and specialized agencies, intergovernmental and non-governmental organizations participating in the 1996 session of the Committee, will exchange views and experiences and decide on follow-up activities on the subject. The secretariat will convene in 1996 a meeting of senior officials on the implementation of the Agenda for Action, with special reference to the theme of poverty eradication and linkage with the observance of the Year. At its fifty-first session the Commission also decided that the theme of the fifty-second session would be "Sustainable development and poverty alleviation in Asia and the Pacific". In that connection, a study on rural poverty alleviation in the context of sustainable development will be prepared by the secretariat for consideration by the Commission in 1996.

Economic and Social Commission for Western Asia

33. The Economic and Social Commission for Western Asia (ESCWA) is organizing an expert group meeting on policies and measures to reduce income disparities and alleviate poverty in selected ESCWA countries, which will be held in December 1995. New documents ("Poverty in the West Bank and Gaza Strip", "Poverty in Western Asia: population dynamics and employment issues", "Measurement of poverty in the ESCWA region", "Poverty and housing in the ESCWA region", "Social factors of housing and poverty: Jordan case-study", etc.) will be presented and discussed at the meeting. Planned activities for 1996-1997 include: coordination with the International Labour Organization and the UNDP national office for Lebanon for building on the work undertaken in the country profile "poverty in Lebanon"; convening of an ad hoc expert group on eradicating poverty in Western Asia: towards a plan of action; and publication during the biennium of Eradicating Poverty in Western Asia.

United Nations Children's Fund

34. High infant mortality, widespread child malnutrition, and persistent female illiteracy are both manifestations and causes of poverty. In collaboration with other agencies and national institutions, the major activities of the United Nations Children's Fund (UNICEF) in 1996 consist of reviewing and assessing social indicators on immunization, malnutrition, education, water and sanitation, and micro-nutrients in the majority of the countries in which UNICEF has programmes. This review will be available around mid-1996. In addition, measuring poverty and tracking poverty trends over time are crucial for formulating national strategies for poverty eradication and for identifying areas of policy and programme intervention. To accomplish this, UNICEF is collaborating with UNDP and the World Bank to provide better coordinated support to the programme countries as well as suggestions for the monitoring of poverty. Furthermore, in collaboration with interested Governments and relevant United Nations agencies, in particular UNDP and the World Bank, UNICEF will contribute to the monitoring of the 20/20 initiative through its support to the restructuring studies of government and donor budgets.

United Nations Conference on Trade and Development

35. The United Nations Conference on Trade and Development (UNCTAD) will organize a seminar on the effects of international economic relations on poverty and prepare a background paper. The participants will include both United Nations agency representatives and experts attending in their individual capacity. In order to make the findings of the seminar available in time for the discussions in 1996 during the high-level segment of the Economic and Social Council on poverty eradication, UNCTAD proposes to hold the seminar at Geneva in March 1996.

United Nations Development Programme

36. The United Nations Development Programme (UNDP) welcomes the opportunity which this Year presents for building on the gains of the World Summit for Social Development, providing the impetus for the formulation of national strategies for poverty eradication and developing joint United Nations initiatives which would support the implementation of such strategies. UNDP sees the Year as a good opportunity for helping national partners to focus on the goals of poverty eradication and assisting Governments to deliver sound poverty eradication strategies and to give high visibility to the process. UNDP believes that its network of country offices could be used to support the objectives of the Year. In this regard, it sees a definite role for them in facilitating "dialogues with the poor".

37. Activities UNDP is likely to support, with Governments and United Nations partners, include development of national policy eradication strategies; working out country-specific definitions of poverty; and country-level poverty measurement/situation analyses. These activities will be carried out by UNDP country offices, which are expected to support Governments to make their poverty eradication strategies and plans as comprehensive and realistic as possible (i.e. develop clear national poverty definitions, identify poverty indicators, conduct poverty assessment studies where there are none, set time-bound targets,

develop monitoring systems, etc.) and to integrate these fully into national development plans. In relation to the International Year for the Eradication of Poverty, UNDP has prepared a document entitled "Poverty eradication: a policy framework for country strategies" as a contribution to the policy dialogue on development alternatives and priorities for the coming years. UNDP is also cooperating with the Department of Public Information of the Secretariat for a poverty eradication information campaign at the country level and will build the theme into its regular information/communication activities.

United Nations Population Fund

38. The United Nations Population Fund (UNFPA) is undertaking activities addressing the issue of poverty through its regular programme activities. The eradication of poverty is a theme in the Programme of Action of the International Conference on Population and Development, in which an integrated approach to address the issues of poverty, population and development is promoted.

World Food Programme

39. The World Food Programme (WFP) intends to use the International Year for the Eradication of Poverty to highlight the developmental needs of the hungry poor and to increase the effectiveness of its poverty alleviation efforts at the country level. The major part of the activities of WFP in relation to the Year will take place at the country level in cooperation with all its partners - Governments, donors, non-governmental organizations and beneficiaries.

Office of the United Nations High Commissioner for Refugees

40. The Office of the United Nations High Commissioner for Refugees (UNHCR), as a humanitarian agency providing assistance and protection to refugees, has important links with the issue of the eradication of poverty. As far as its resources allow, UNHCR is willing to join in with and support any activities undertaken by the United Nations system.

International Labour Organization

41. The International Labour Organization (ILO) is producing an updated version of the Compendium on Poverty Estimates (2nd edition), which would include indicators of social exclusion and cover developed and developing countries. ILO would also document success stories and focus on issues such as the bargaining power of the poor. Above all, the very strong link between poverty and unemployment and underemployment has been emphasized by the World Summit for Social Development. All activities of ILO have therefore a direct bearing on the reduction and eradication of poverty.

Food and Agriculture Organization of the United Nations

42. The Food and Agricultural Organization of the United Nations (FAO) will convene a World Food Summit in November 1996 at Rome, with the aim of renewing the commitment of the world leaders at the highest level to the eradication of hunger and malnutrition and the achievement of food security for all, through

the adoption of concerted policies and actions at global, regional and national levels. The outcome of the World Food Summit is expected to be a major contribution to the eradication of poverty.

United Nations Educational, Scientific and Cultural Organization

43. The United Nations Educational, Scientific and Cultural Organization (UNESCO) plans analytical and policy-oriented work in the area of poverty in connection with the International Year for the Eradication of Poverty. Within the framework of collaboration between UNESCO and the International Social Science Council in its Programme of Comparative Research on Poverty, several publications are being prepared and a series of expert group meetings are being planned to launch some comparative research programmes. For publications in 1996, the following monographs are under preparation: Poverty: a Worldwide Review of Research; Images of Poverty; Law, Power and Poverty; a glossary of poverty; Poverty and Participation in Civil Society; and Feminization of Poverty.

44. The International Social Science Journal will dedicate its issue No. 148 (June 1996) to the theme of poverty. During 1996-97, workshops will be organized on: poverty and social exclusion in the Mediterranean, in Crete, Greece; the economics of poverty, at Bergen, Norway; human rights as an instrument for poverty alleviation, at Sao Paulo, Brazil; the role of the State in poverty alleviation, at Nairobi; and law, power and poverty at Onati, Spain.

45. Within the framework of the World Decade for Cultural Development a workshop is envisaged on culture and poverty that will provide guidelines for the subsequent activities relating culture, poverty and development. UNESCO will also be encouraging its regional social science organizations to focus on poverty during the Year, and intends to use the occasion of the International Year for the Eradication of Poverty in favour of its educational intervention in conflict situations by emphasizing the role of income-generating non-formal education in poverty eradication. In the draft programme and budget of UNESCO for 1996-1997, it is specifically foreseen that, in partnership with the United Nations system and grass-roots non-governmental organizations, projects aiming at strengthening endogenous capacities will be set up, with particular emphasis on active and voluntary participation of excluded groups such as unemployed, marginalized and poverty-stricken people through empowerment and training programmes. Seminars will be organized in five countries (Nicaragua, Guatemala, Colombia, Brazil and Peru) to discuss education and poverty. UNESCO will also support Member States in strengthening their social science infrastructures for developing endogenous capacities and for setting up relevant information, documentation and data on the impact of structural adjustment policies on the poor and on the effectiveness of anti-poverty strategies. UNESCO proposes to organize a clearing-house on policies and experiences which have proved effective in the fight against social exclusion. Broad synoptic regional reports assessing successful measures will be disseminated, in cooperation with the media, universities and other educational establishments, non-governmental organizations and representatives of civil society.

46. There is a special focus in UNESCO programmes on fostering a better understanding of the nature, causes and consequences of poverty and contributing

to strategies for eradicating extreme poverty. An action-oriented project to fight poverty in South Asia is being developed, and a meeting comparing local strategies against poverty will be held in Costa Rica in the spring of 1996.

International Monetary Fund

47. The International Monetary Fund (IMF) Fiscal Affairs Department is considering the compilation, in 1996, of various papers written in IMF on the role of social safety nets in poverty reduction. IMF, through its United Nations Office, will be represented at all future inter-agency meetings on the International Year for the Eradication of Poverty.

World Bank

48. The World Bank already has in place a process for helping countries articulate their poverty reduction strategies through the preparation of poverty assessments, public expenditure reviews and country assistance strategies. The Bank's operations increasingly involve interactions with the poor, principally through participatory poverty assessments, which mean talking to the poor directly, and through participatory project preparation and implementation. Some of the new initiatives the Bank is proposing for 1996 which are currently under consideration include an accelerated programme for children to break the inter-generational cycle of poverty and some ideas in health (vaccine development and micro-nutrients). The Bank is also working to improve the effectiveness of the instruments it relies on to help countries reduce poverty, such as policy advice, technical assistance, project loans and policy loans.

International Fund for Agricultural Development

49. The International Fund for Agricultural Development (IFAD) has already begun preparations for the observance of the Year both at institutional level and through a number of public information activities. In its 18 years of operation, IFAD has designed and financed over 400 poverty alleviation projects in more than 100 countries across the developing world. In relation to the observance of the International Year for the Eradication of Poverty, the Fund is going to upgrade a number of already planned activities, such as project implementation workshops to include "lessons learned" and "best practices". IFAD is exploring cost-effective ways of enhancing the level of exchange with the poor by strengthening participatory mechanisms that will allow the poor to express their views, ideas and proposals on how best to strengthen the impact of poverty projects in order to raise their productivity and incomes. IFAD, along with other national and multilateral institutions, is also sponsoring in November at Brussels, the Conference on Hunger and Poverty. The major objective of the Conference is to allow institutions of civil society, especially non-governmental organizations, to join hands with multilateral organizations, bilateral donors and national institutions to combat hunger and poverty. At Brussels, IFAD hopes to build an operational coalition that will allow successful programmes against poverty to be identified, expanded and replicated. Within this context, IFAD is also collaborating with the World Bank to promote micro-financing programmes. Such programmes will be designed to pioneer new modalities for poverty eradication.

50. A number of activities will be undertaken within IFAD itself over the Year. The Fund's Latin America and the Caribbean Division is planning to start regional "discussions on poverty with the poor", to promote analysis of poverty issues from the poor's perspective and organize forums to discuss problems and solutions emerging at project level. Some regional and subregional IFAD technical assistance grants could also be used to organize regional and subregional events on poverty issues where the voice of the poor could be heard. Another global study on issues such as household food security, rural financing and desertification control will help in defining strategies for future poverty alleviation investments in the regions. IFAD is also preparing to hold a subregional workshop at Cape Town, South Africa on 30 and 31 January 1996 which will review the experiences of a large number of IFAD-supported projects. The workshop, in which poor groups as well as government officials and project staff, administrators and donors will be participants, will represent a demonstration of solidarity in a country just liberated from apartheid, to work for a world free from poverty. The event could also include an exposition of traditional and improved farmers' instruments, artisanal products of rural communities from various parts of the developing world, a photo exhibit, stands for publications, a video show and a musical programme, while the African and international media would cover the event through national and satellite television networks. The exposition planned for Cape Town would effectively be structured as a "mobile expo". It could then travel throughout the Year to destinations such as Beijing, Cairo, Dakar, London, Mexico City, Nairobi, New Delhi, New York, Rio de Janeiro, Riyadh, Rome, Tokyo and Washington, D.C., where it would arrive in time for the observance of the 1996 International Day for the Eradication of Poverty.

51. To mark the launching of the International Year, a special video "promo" and a video news release for distribution through Reuters satellite feeds and other channels would be produced in December 1995. In addition, a series of monthly 30-minute television programmes on various success stories in the fight against rural poverty in Africa would be developed. Moreover, a series of short documentaries on the socio-economic conditions of rural communities in developing countries in Arabic, English, French, German, Italian and Spanish for broadcast on the Euronews network is being planned. Other productions are under negotiation. An IFAD-sponsored workshop on environmental support to nomads and sustainable management of multi-purpose marginal land resources is scheduled to take place at Jeddah, Saudi Arabia, from 16 to 19 March 1996. In addition, IFAD is seeking to improve public awareness both in donor and recipient countries of the importance of solidarity and cooperation to eradicate poverty.

Consultative Committee on Programme and Operational Questions

52. The Consultative Committee on Programme and Operational Questions (CCPOQ), of the Administrative Committee on Coordination (ACC), at its seventh session, in New York, took note of the work accomplished to date on poverty eradication and the positive response given to the report of the CCPOQ Working Group on Poverty on the work of the United Nations system on poverty alleviation. 11/ It decided to pursue these efforts on the basis of a three-day brainstorming workshop to be convened at the ILO Training Centre at Turin at the end of January 1996 to generate ideas on practical issues for follow-up. Some of the issues proposed for inclusion in the agenda of the workshop are: criteria for

identification of poverty groups; the geographical structures for such action; identification of the basic programmes; an understanding of the reasons for successes and failures of poverty programmes; and strategies for extending services and targeting benefits to the poor.

C. Activities by other organizations

53. The decision to designate 1996 International Year for the Eradication of Poverty was communicated to regional and international organizations outside the United Nations system, inviting them to take appropriate action in regard to its observance. Information made available from these organizations will be included in the newsletter and other informational material to be issued during the course of the Year.

Notes

1/ Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (A/CONF.166/9), chap. I, resolution 1, annexes I and II.

2/ E/1995/92.

3/ Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (A/CONF.166/9), chap. I, resolution 1, annex I, sect. C.

4/ Ibid., commitment 2.

5/ Ibid.

6/ Ibid., annex II, paras. 26 (b) and (d).

7/ Ibid., para. 83 (d).

8/ Ibid., paras. 95 (a) and (c).

9/ Ibid., annex I, sect. C, commitment 2.

10/ Ibid., annex II, para. 83 (d).

11/ ACC/1995/POQ/CRP.19, annex.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/50/552
12 October 1995

ORIGINAL: ENGLISH

Fiftieth session
Agenda item 96 (c)

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: SUSTAINABLE USE AND CONSERVATION OF THE MARINE LIVING RESOURCES OF THE HIGH SEAS

Fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources

Note by the Secretary-General

1. At its forty-ninth session, the General Assembly, in its resolution 49/118 of 19 December 1994, recognized that in relevant provisions of the United Nations Convention on the Law of the Sea 1/ States are called upon to take into consideration, when establishing conservation and management measures for target fisheries, the effects on associated or dependent species, taking into account the best scientific evidence available. It recalled that the United Nations Conference on Environment and Development (UNCED) and the International Conference on Responsible Fishing had agreed to promote the development and use of selective fishing gears and practices that minimized waste in the catch of target fish species and minimized by-catch of non-target fish and non-fish species. The Assembly also invited relevant subregional and regional fisheries management organizations and arrangements as well as the Food and Agriculture Organization of the United Nations (FAO) to review, within their respective competencies, the impact of fisheries by-catch and discards on the sustainable use of living marine resources. FAO was also invited to formulate fisheries by-catch and discard provisions in its Code of Conduct for Responsible Fishing, taking into account work being done elsewhere.

2. In response to that resolution, FAO has submitted for the attention of the General Assembly the report which is annexed to the present note.

Notes

1/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

95-30858 (E) 231095 251095

/...

ANNEX

Report of the Food and Agriculture Organization of the United Nations on fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources

I. ASSESSMENT OF FISHERIES BY-CATCH AND DISCARDS

1. FAO promotes national and international action for the rational management and development of world fisheries. It does this not only through the regular programme of activities at its headquarters, but also through the field and regional offices and regular consultation with regional (FAO and non-FAO) fishery bodies, the fishing industry and other institutions. a/

2. The definition of "by-catch" is all "species captured other than target species". b/ "Discards" may constitute a small-to-significant fraction of the identified by-catch, depending on the nature of the fisheries and local customs.

3. Since the creation of FAO in 1945, the fishery scientists working outside and within the framework of FAO fishery activities have been aware, in the context of fishery management, of the importance of gear selectivity in minimizing the by-catch of undersized fish of target species, non-target fish species and non-fish species. Indeed several FAO regional bodies have introduced regulatory measures for gear, c/ including the regulations concerning the use of minimum mesh size in gears used for the catch of certain target species.

4. Fishery managers and conservation/environmental groups have been concerned that by-catch, and discards, may be contributing to biological overfishing and altering the structure of marine ecosystems.

5. The recent global assessment of fisheries by-catch and discards estimated an annual discard range of between 17.9 and 39.5 million tonnes, with a mean estimate of 27 million tonnes. No estimate could however be given of the mortality level of "escapees" from fishing gear during operations. Although many of the discards include non-target or low-value species, undersized fish of target species are also discarded. The combined effect of this practice may threaten the maintenance of biodiversity and the long-term sustainability of fisheries.

6. The discard range may be an underestimate in that recreational fishery discards are not included; the database for some areas of the world is incomplete, and discard rates are not included for marine mammals, seabirds, turtles and, for many areas, invertebrates.

7. Although discards in tropical industrial shrimp-trawl fisheries are generally high, in many of the world's artisanal fisheries a variable share of the shrimp by-catch may be species retained for human consumption or for other purposes. Further, discard rates and numbers may misrepresent the impacts because for a number of species some fraction of the discard survives. Without good estimates of the biomass discarded, the survival rate, other fish-related

losses and the landed catch of a particular species, it will be impossible to assess overall impacts of fishing.

8. In general, since the 1992 United Nations Conference on Environment and Development (UNCED), fisheries conservation and management practice has emphasized an ecosystem approach, taking full account, inter alia, of the need to exploit fisheries in a precautionary manner. The ecosystem approach differs significantly from past approaches to fisheries conservation and management, whereby the primary concern was the impact of fishing on the target species, with lesser concern for impacts on non-target fish and animal populations.

9. The ecosystem approach to fisheries management necessitates further significant extension of fisheries research beyond an emphasis on target-species and single-species approaches to stock assessment and to the determination of optimal exploitation. A new research emphasis and a significant additional capacity, including that for the development of new methods, are required to make such research effective so as to lead to meaningful advice on fisheries management in the ecosystem context. Additional research and data collection are particularly needed to assess the biological impact of by-catch. The status of the stocks of non-target species and their biologically allowable mortality are now frequently not determined, regardless of being necessary information for rational fisheries management.

10. Some of the impacts of discarding may include: (a) foregone catch as a result of mortalities imposed on recruits to the target fishery; (b) foregone catch resulting from mortalities imposed on target fisheries by fisheries targeting other species; (c) reduction of fishing time resulting from by-catch quotas; (d) costs of purchasing gear adapted to comply with discarding measures; (e) loss of catch and time when a gear type is outlawed and no efficient alternative gear type is available or can be deployed owing to vessel or other restrictions; and (f) loss of catch owing to capture of immature fish being subtracted from the total allowable catch (TAC). There may well be an impact of an economic nature owing to the introduction of required observer programmes and sorting costs. Much more work is needed to assess adequately the true economic cost of discards on fishers and the benefits and costs of potential solutions to society as a whole. In some cases, mortalities associated with discards may decrease key predator or competitor populations and enhance system productivity. Furthermore discarding practices may permit fisheries to remain cost-effective.

11. There is a growing global recognition that the world's fishing effort already exceeds what is necessary to harvest sustainable yields of marine fish. d/ The single action that will provide the greatest improvements to the by-catch and discard problem in certain fisheries will be the reduction of these effort levels. Without such control, other solutions to the by-catch and discard problem will be less effective and real success in efforts to better manage the ocean's resources will be more difficult to attain.

12. In the Rome Consensus on World Fisheries, adopted by the Ministerial Meeting on Fisheries, held in Rome on 14 and 15 March 1995, it is stated that improved fisheries conservation and management, along with better protection from harmful sea- and land-based activities, are crucial to maintaining world fish resources and aquatic ecosystems. The Ministerial Meeting urged that

Governments and international organizations take prompt action, inter alia, to adopt policies, apply measures and develop techniques to reduce by-catches, fish discards and post-harvest losses.

13. On a number of occasions FAO and other agencies have organized activities to address the question of the utilization of by-catch so as to contribute towards food security. This was addressed at a consultation organized in 1981, e/ and has been addressed at a Technical Cooperation among Developing Countries (TCDC) workshop on the utilization of by-catch from shrimp trawlers, organized by the Government of Madagascar, the Special Unit for Technical Cooperation among Developing Countries of the United Nations Development Programme (UNDP) and FAO, at Nosy Bé, Madagascar, from 6 to 8 June 1995. Although shrimp fisheries account for the largest share of discards in global fisheries, it should also be noted that much of the shrimp produced in tropical waters is harvested by artisanal traps, and other species caught along with shrimp are rarely discarded, but rather consumed in the fishing villages. f/

II. UNITED NATIONS CONFERENCE ON STRADDLING FISH STOCKS AND HIGHLY MIGRATORY FISH STOCKS

14. Data and related information concerning high seas fisheries are poor and incomplete, and as a result conservation and management of high seas resources is weak. Consistent with the 1982 United Nations Convention on the Law of the Sea, the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, convened in 1993 as a consequence of the 1992 United Nations Conference on Environment and Development, seeks to improve and strengthen the conservation and management of these two types of stocks and to ensure that, as a foundation for conservation and management, data and the timeliness for the provision of data are greatly enhanced.

15. The revised Draft Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks g/ (the Draft Agreement), prepared by the Chairman of the Conference, takes a strong ecosystem approach to high seas fisheries conservation and management and requires that high seas fishing activity be assessed in terms of the "impacts of fishing, other human activities and environmental factors on target species and species belonging to the same ecosystem or dependent upon or associated with the target species" (art. 5 (d)), to "adopt, where necessary, conservation and management measures for species belonging to the same ecosystem or dependent on or associated with the target species, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened" (art. 5 (e)) and to "promote the development and require the use of selective, environmentally safe and cost-effective fishing gear and techniques in order to minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species (both fish and non-fish species) (hereinafter referred to as non-target species) and impacts on associated or dependent species, in particular endangered species" (art. 5 (f)). As part of this ecosystem approach to fisheries conservation and management high seas fishers are obligated to report comprehensively, through appropriate subregional or regional fisheries

management organizations or arrangements, on all target and non-target (by-catch) species taken in the course of fishing operations. Comprehensive data must be provided on target and non-target species caught and retained, as well as other species that are discarded. h/ The requirements and standards to be established for high seas catch reporting represent a significant departure from conventional fisheries catch/effort reporting whereby retained target species data are normally the only data reported.

16. If fully implemented through effective flag State control, the Draft Agreement i/ will facilitate the collection and reporting of reliable catch and related data not only for target species, but also for by-catch and discarded fish and animal species. The availability of these data will enable assessments to be made to more accurately determine the effects of fishing both on target species and more broadly on the ecosystem as a whole. However, to obtain a complete and comprehensive evaluation of the impact of fishing on the ecosystem, similar requirements for fisheries falling under zones of national jurisdiction will also be required.

III. DRAFT CODE OF CONDUCT FOR RESPONSIBLE FISHERIES

17. According to instructions of FAO governing bodies, the draft Code of Conduct for Responsible Fisheries j/ has been formulated to be consistent with the 1982 United Nations Convention on the Law of the Sea, taking into account the 1992 Declaration of Cancún, the 1992 Rio Declaration and the provisions of Agenda 21 of UNCED, the Strategy endorsed by the 1984 FAO World Conference on Fisheries Management and Development and other relevant instruments. It will also take into account the outcome of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks.

18. Certain articles of the draft Code of Conduct address matters of concern, pertaining to by-catch and discards, in follow-up to General Assembly resolution 49/118 of 19 December 1994. It should be emphasized that the draft Code is currently open for revision.

19. Article 6.2.2 of the draft Code of Conduct is concerned with objectives within the overall issue of fisheries management, and the relevant text (subject to revision) notes that "States and fisheries management organizations or arrangements should ensure that long-term management objectives are set to provide a high probability that, inter alia, waste, by-catch and discards in fisheries are progressively reduced and avoided as far as practical."

20. Another subsection which may be amended in the final wording pending progress at the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks is article 6.6.10, which states:

> "In order to protect juveniles or spawners, avoid waste and reduce the catch which is not sought or retained by the fishers, fisheries management authorities should implement technical measures such as minimum landing size limits, mesh or gear regulations, closed areas, including marine reserves, or closed seasons where necessary. Regulations governing multi-species fisheries should be designed to ensure minimum discarding."

21. Article 7.4.5 is concerned with fishing practices within the overall issue of fishing operations, and the relevant text notes that "States, with relevant groups from industry, should encourage the development and implementation of technologies and operational methods that reduce discards. At the same time they should discourage, as appropriate, the use of fishing gear and practices that lead to the discarding of catch and should promote the use of fishing gears and practices that increase survival rates of escaping fish."

22. Article 7.5.1 is concerned with fishing gear selectivity, also within the overall issue of fishing operations, and the text notes that "States should require that fishing gear, methods and practices are sufficiently selective so as to minimize the catch of non-target species, waste, discards and threats to endangered species, and that the intent of related regulations is not circumvented by technical devices. In this regard, fishers should cooperate in the development of selective gears and methods. States should ensure that information on new developments and requirements is made available to all fishers."

23. With regard to protection of the marine environment, article 7.7.1 reads: "States should introduce and enforce laws or regulations based on the International Convention for the Prevention of Pollution from Ships, 1973, as amended by the Protocol of 1978 (MARPOL 73/78)."

24. Article 10.1.8 of the draft Code of Conduct is concerned with responsible fish utilization within the overall context of post-harvest practices and trade, and the text notes that "States should encourage those involved in fish processing, distribution and marketing to reduce post-harvest losses and waste, and improve the utilization of by-catch to the extent that it is consistent with responsible fisheries management practices."

25. Article 11.10 is concerned with fisheries research, and states that "States should carry out studies on the selectivity of fishing gears to target species and on the behaviour of target and the non-target species to the fishing gear with a view to minimizing non-utilized catches and safeguarding the biodiversity of ecosystems as an aid for management decisions."

IV. CONCLUSION

26. A major strategy to reduce the level of by-catch would be improvement in the selectivity of fishing gear and fishing methods. While there has been an increase in activity to develop selective gears and techniques, much of the research has been carried out in the higher latitudes and is not readily transferable to multi-species tropical fisheries, where the tropical shrimp trawls still produce high rates of by-catch.

27. The strategy to reduce the negative impact of by-catch would include: (a) a specific emphasis on reducing by-catch of stocks reduced below their optimum levels, (b) a better disposal of by-catch or utilization of by-catch for human consumption, and other purposes benefiting people, especially if the stocks remain above optimal levels. This strategy necessitates the determination of the status of stocks, individuals of which constitute the

by-catch, and the biologically allowable mortality for these stocks, requiring an additional research capacity for these tasks; certainly, until this is carried out, a precautionary approach to fisheries management may need to be applied.

28. FAO estimates that a significant reduction in discards by the year 2000 of around 60 per cent could be achieved by: (a) a concentrated effort to improve the selectivity of fishing gear; (b) the development of international standards for research, and an additional research designed specifically to address problems resulting from by-catch; (c) greater interaction between research staff, industry and fisheries managers; and (d) the application of appropriate technology through fisheries regulations. To achieve this goal, FAO and national research institutes will need to strengthen and widen the scope of current programmes on gear selectivity. k/

29. As a consequence of a decision of the FAO Council (108th session, 5-14 June 1995), an open-ended Technical Committee has been set up to review and agree on the form and content of the Code of Conduct for Responsible Fisheries and any follow-up action, including further provisions with regard to by-catch and discards if necessary, which may be required to finalize the Code prior to its submission to the Twenty-eighth Session of the FAO Conference (Rome, 20 October-2 November 1995) for approval and adoption. Since the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks should conclude its work in August 1995, the relevant part of the draft text could then be reconciled with the language agreed upon at the Conference.

Notes

a/ FAO has consulted with its own regional fishery bodies (the General Fisheries Council for the Mediterranean, the Fishery Committee for the Eastern Central Atlantic, the Indian Ocean Fisheries Commission, the Asia-Pacific Fisheries Commission and the Western Central Atlantic Fisheries Commission) in compiling the present report.

b/ D. L. Alversen, M. H. Freeberg, J. G. Pope and S. A. Murawski, "A global assessment of fisheries by-catch and discards", FAO Fisheries Technical Paper No. 339 (Rome, 1994).

c/ Mesh size and other regulatory measures to reduce by-catch have been examined by FAO and its regional bodies over many years. For example, the FAO Fishery Committee for the Eastern Central Atlantic (CECAF) at its third session in 1972 recommended the introduction of a provisional minimum mesh size of 70mm for use by vessels fishing for hake or sea bream in the CECAF area.

d/ Summarized in the FAO report entitled "The state of world fisheries and aquaculture" (Rome, 1995), prepared for and discussed at the FAO Twenty-first Session of the Committee on Fisheries (COFI) held in Rome from 10 to 15 March 1995, as well as the FAO Ministerial Meeting on Fisheries held in Rome on 14 and 15 March 1995.

e/ "Fish by-catch, bonus from the sea", Report of a Technical Consultation on Shrimp By-catch Utilization, Georgetown, Guyana, 27-30 October 1981 (Ottawa, Canada, International Development Research Centre).

f/ F. Teutscher, "By-catch in tropical shrimp fisheries", prepared for the TCDC workshop on the utilization of by-catch from shrimp trawlers, Nosy Bé, Madagascar, 6-8 June 1995.

g/ A/CONF.164/22/Rev.1.

h/ See A/CONF.164/22/Rev.1, annex 1, "Standard requirements for collection and sharing of data".

i/ The Conference subsequently adopted, on 4 August 1995, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (A/CONF.164/37). The Agreement incorporated the draft provisions quoted here with no substantive changes.

j/ FAO document CL 108/20, prepared for the 108th Session of the Council of FAO, Rome, 5-14 June 1995.

k/ See "The state of world fisheries and aquaculture", op. cit., p. 21.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/50/553
12 October 1995
ENGLISH
ORIGINAL: CHINESE/ENGLISH

Fiftieth session
Agenda item 96 (c)

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: SUSTAINABLE USE AND CONSERVATION OF THE MARINE LIVING RESOURCES OF THE HIGH SEAS

Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas

Report of the Secretary-General

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 4	3
II.	ACTIVITIES OF INTERGOVERNMENTAL ORGANIZATIONS	5 - 9	3
III.	REVIEW BY REGION	10 - 45	4
	A. General	10 - 18	4
	1. Information provided by States	10 - 12	4
	2. Information provided by international organizations	13 - 14	7
	3. Information provided by non-governmental organizations	15 - 18	8
	B. Atlantic Ocean	19 - 28	10
	1. Information provided by States	19 - 21	10
	2. Information provided by international organizations	22 - 27	10

95-30864 (E) 261095 271095

CONTENTS (continued)

	Paragraphs	Page
3. Information provided by non-governmental organizations	28	11
C. Baltic Sea	29	12
D. Indian Ocean and South China Sea	30 - 32	12
1. Information provided by States	30 - 31	12
2. Information provided by international organizations	32	13
E. The Mediterranean	33 - 36	13
1. Information provided by States	33 - 34	13
2. Information provided by international organizations	35	14
3. Information provided by non-governmental organizations	36	14
F. Pacific Ocean	37 - 45	15
1. Information provided by States	37 - 42	15
2. Information provided by international organizations	43 - 45	18

I. INTRODUCTION

1. The General Assembly, at its forty-ninth session, in its decision 49/436 of 19 December 1994, took note with appreciation of the report of the Secretary-General (A/49/469) and, while acknowledging the substantial progress achieved since 1992 in support of the objectives of resolution 46/215 of 20 December 1991, 1/ expressed serious concern over reports of continuing conduct and activities inconsistent with the terms of that resolution. It therefore urged the international community to take greater enforcement responsibility to ensure full compliance with resolution 46/215, and requested the Secretary-General to take into account decision 49/436 in preparing his report on further developments relating to the implementation of that resolution.

2. In accordance with decision 49/436, the Secretary-General sent a note verbale to all members of the international community, drawing their attention to resolution 46/215. Letters were also addressed to intergovernmental and non-governmental organizations and well-established scientific institutions with expertise in the area of living marine resources.

3. The Secretary-General has received a number of responses and submissions from States, intergovernmental and non-governmental organizations and scientific organizations. He wishes to express his appreciation for all the contributions.

4. The present report, which takes into account such contributions, is submitted to the General Assembly in response to the request contained in decision 49/436.

II. ACTIVITIES OF INTERGOVERNMENTAL ORGANIZATIONS

5. The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) replied to the Secretary-General on 15 May 1995, recalling that the matter of large-scale drift-net fishing had been discussed at the annual meeting of CCAMLR in 1990, resulting in the adoption of resolution 7/IX, 2/ which declared that, in accordance with General Assembly resolution 44/225, there would be no expansion of large-scale pelagic drift-net fishing into the high seas of the convention area. Since the adoption of resolution 7/IX, no cases of activities or conduct inconsistent with the terms of that resolution had been reported to the Commission within the CCAMLR convention area.

6. In its response to the Secretary-General dated 18 May 1995, the South Pacific Forum Fisheries Agency (FFA) indicated that since its last submission to the Secretary-General on the issue in July 1994, no incident of fishing with long drift-nets had been drawn to the attention of the Agency.

7. The Council of Europe informed the Secretary-General on 23 May 1995 that in view of the fact that decision 49/436 dealt with the sustainable use and conservation of marine living resources, it would be particularly taken into account in the activities aimed at the implementation of the Bern Convention of 19 September 1979 on the Conservation of European Wildlife and Natural Habitats.

8. In its report to the Secretary-General dated 22 June 1995, the Food and Agriculture Organization of the United Nations (FAO) submitted the following information:

> "16. On the basis of information available to FAO the incidence of large-scale pelagic drift-net fishing, in contravention of United Nations General Assembly resolution 46/215 and subsequent resolutions, has declined further in the 1994/95 period. This situation might be attributed principally to: (i) the United Nations moratorium being successfully implemented in accordance with the relevant United Nations General Assembly resolutions, and (ii) enhanced flag State control on the part of States and entities which previously sanctioned the use of this type of gear.
>
> "17. The major area for large-scale pelagic drift-net fishing is the Mediterranean Sea, with vessels predominantly being of Italian flag or origin. These vessels are operating in contravention of both the United Nations international moratorium on large-scale pelagic drift-net fishing and European Community (EC) law. Given the fragility and biological importance of the Mediterranean Sea, the continued use of this gear in this area is viewed by many as a matter of considerable international concern."

9. The United Nations Economic Commission for Latin America and the Caribbean (ECLAC), in its submission to the Secretary-General of 23 June 1995, indicated that it had no specific information to submit for the reporting period with respect to information requested in General Assembly decision 49/436 concerning the implementation of resolution 46/215.

III. REVIEW BY REGION

A. General

1. Information provided by States

10. In its reply of 24 May 1995, Colombia informed the Secretary-General that Colombia was of the view that large-scale pelagic drift-net fishing had a great impact on the living marine resources of the world's oceans and seas, and therefore it supported the relevant provisions of resolution 46/215. In addition, no Colombian fishing vessel was engaged in high seas drift-net fishing in the world's oceans and seas.

11. In its reply to the Secretary-General dated 19 June 1995, the United States of America made the following submission:

> "...
>
> "As a principal co-sponsor of General Assembly resolution 46/215, as well as resolution 44/225 (1989) and 45/197 (1990), and supporter of decisions 47/443 (1992), 48/445 (1993) and 49/436 (1994), the United States takes a particular interest in the effective and full implementation of a global moratorium on all large-scale pelagic drift-net fishing on the high

seas in the light of the adverse impacts such fishing has upon the world's living marine resources.

"The United States firmly believes that the best available scientific evidence demonstrates the wastefulness and potential ecosystem-scale negative impacts of large-scale pelagic drift-net fishing on the high seas. The United States believes it was appropriate that the General Assembly, in recognition of the unacceptable impacts of large-scale pelagic drift-net fishing on the high seas, and by its resolution 46/215, called upon all members of the international community to ensure that a global moratorium on all large-scale pelagic drift-net fishing on the high seas be fully implemented by 31 December 1992.

"The United States attaches great importance to compliance with resolution 46/215, has taken measures individually and collectively to prevent large-scale pelagic drift-net fishing on the high seas and has called upon all members of the international community to implement and comply with the resolution. The United States has urged all members of the international community, intergovernmental organizations, non-governmental organizations and scientific institutions with expertise in relation to living marine resources to report to the Secretary-General any activity or conduct inconsistent with the terms of resolution 46/215.

"Since 1990, it has been unlawful for any United States national or fishing vessel to engage in large-scale drift-net fishing in any area under the fisheries jurisdiction of the United States or beyond the exclusive economic zone of any nation.

"The Driftnet Act Amendments of 1990, and more recently the High Seas Driftnet Fisheries Enforcement Act, enacted in November 1992, made it the stated policy of the United States to, among other things, implement resolution 46/215 and secure a permanent ban on the use of destructive fishing practices, in particular large-scale drift-nets, by persons or vessels fishing beyond the exclusive economic zone of any nation. Additionally, the Act provides for the denial of port privileges for any large-scale drift-net fishing vessel and sanctions for any nation whose nationals or vessels conduct large-scale drift-net fishing beyond the exclusive economic zone of any nation, including a prohibition on the importation into the United States of fish and fish products and sport fishing equipment.

"On 8 March 1993, the United States announced plans to promote observance of the global moratorium on large-scale pelagic drift-net fishing on the high seas, including steps the United States intends to take in the event United States enforcement authorities have reasonable grounds to believe that any foreign flag vessel encountered on the high seas is conducting, or has conducted, large-scale pelagic drift-net fishing operations inconsistent with resolution 46/215. United States enforcement officials will follow established procedures for determining flag-State identity or registration and will take law-enforcement actions in conjunction with the flag State and consistent with the 1982 United Nations Convention on the Law of the Sea. Under customary international law and

United States law, a vessel considered stateless and found to be conducting large-scale pelagic drift-net fishing operations on the high seas would be subject to penalty in the United States.

"Since submission of its report to the Secretary-General in July 1994, the United States has taken a number of steps to implement the General Assembly's resolutions and decisions on large-scale pelagic drift-net fishing on the high seas.

"To monitor compliance with the drift-net moratorium in 1994, the United States Coast Guard and the United States National Marine Fisheries Service continued to carry out enforcement and surveillance activities in the North Pacific in areas of former large-scale drift-net fishing. United States Coast Guard cutters logged 146 vessel days at sea and Coast Guard aircraft flew 223 hours in the 1994 drift-net monitoring programme. No large-scale high seas drift-net activity was sighted by United States enforcement patrols in 1994.

"All United States Coast Guard operations were coordinated with enforcement officials of Japan, Canada and the Russian Federation. In addition, direct lines of communication have been established between the Coast Guard and the Russian Federation Border Guard to facilitate sharing of information.

"...

"In two European fisheries, questions have been raised regarding the use of large-scale drift-nets on the high seas. Environmental groups charged last year that fishermen of several European Union (EU) member nations continued to conduct large-scale high seas drift-net fishing.

"The countries concerned have been conducting diligent enforcement in the fishery, and the United States expects that these efforts, in addition to the framework established by international law, EU regulations, and EU member State regulations, are sufficient to ensure full compliance with resolution 46/215.

"Under a Memorandum of Understanding between the United States Departments of Transportation, Commerce and Defense, signed 11 October 1993, the United States is utilizing the surveillance capabilities of the Department of Defense for locating and identifying vessels violating resolution 46/215. Formal procedures for communicating vessel locations to the Department of Commerce and the United States Coast Guard, as well as concerned Governments, have been established.

"The United States continues to attach extreme importance to compliance with resolution 46/215 and encourages all members of the international community to take measures to prohibit their nationals and vessels from undertaking any activity contrary to the terms of resolution 46/215, and to impose appropriate penalties against any that may undertake such activities."

12. In its response of 29 June 1995 to the Secretary-General, New Zealand expressed the view that the Secretary-General's annual report to the General Assembly was a significant tool of accountability which it strongly supported. It also remained opposed to large-scale pelagic drift-net fishing and attached great importance to the full implementation of the global moratorium in accordance with resolution 46/215. New Zealand was aware of reports in some areas and wished to express its deep concern about such reports and to urge all countries to direct their fishing industries to comply fully with the global moratorium. It therefore welcomed the decision by the General Assembly at its forty-ninth session to urge au horities of members of the international community to take greater enforcement responsibility to ensure full compliance with resolution 46/215 and to impose appropriate sanctions, consistent with international law, against acts contrary to the terms of the resolution.

2. Information provided by international organizations

13. In its above-mentioned report to the Secretary-General (see para. 8), FAO made the following submission:

> "4. The Government of Japan, the Government of the Republic of Korea and the fisheries administration in Taiwan, Province of China, have all introduced policies and measures aimed at implementing fully General Assembly resolution 46/215 and subsequent resolutions. There have been no reports that vessels of these flags have been engaged in large-scale pelagic drift-net fishing in 1994/95.
>
> "5. In 1994 it had been reported that French and Italian vessels with large-scale pelagic drift-net gear in excess of 2.5 kilometres continued to operate in the North-East Atlantic Ocean and in the Mediterranean Sea, respectively. The Italian fleet exceeds 600 vessels and targets swordfish stocks on a seasonal basis. Both fleets have reportedly been operating in contravention of General Assembly resolution 46/215 and subsequent resolutions and EC Council regulation 345/92. However, France has agreed to enforce EC Council regulation 345/92, which limits the length of drift-nets to 2.5 kilometres per vessel, thereby abiding by EC law and the United Nations international moratorium.
>
> "6. Conflict among EC fishermen over the use of large-scale pelagic drift-nets in 1994 was reported in the Bay of Biscay. Spanish fishermen, who are forced by national law to use pole-and-line gear when targeting albacore tuna in the Bay of Biscay, maintained that Irish and French vessels were using drift-nets in excess of 2.5 kilometres. In some instances Spanish fishermen were reported to have boarded Irish vessels and cut their nets, while a French vessel was escorted to a port in Galicia.
>
> "7. With the exception of the Mediterranean Sea and the Bay of Biscay in the North-East Atlantic Ocean, there have been no reports of fishing with large-scale drift-nets in the 1994/95 period."

14. In its submission of 29 June 1995 to the Secretary-General, the Secretariat of the Asia Pacific Fishery Commission (APFIC) reported that:

(a) Malaysia did not have any large-scale pelagic drift-net fishing that would fall under the ambit of General Assembly resolution 46/215. However, Malaysia had imposed a ban on the use of any drift-net or gill with a mesh size of less than 25.4 centimetres (10 inches) in waters under its own jurisdiction;

(b) Pakistan indicated that there was no large-scale drift-net fishing in Pakistan. The small-scale artisanal fishermen did use the pelagic gill net in coastal waters off Pakistan, which did not pose any threat to non-target species such as dolphins and whales;

(c) The Philippines had indicated that its fishing authorities had recommended to the Philippine Government to accede to Protocol II of the Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific since the Philippines' gill nets were not forbidden by the Convention in view of the fact that they ranged from 300 to 800 metres and operated only in coastal waters for the harvesting of pelagic and demersal species using boats of less than 3 gross tons. Likewise, the Philippine Government ought to prohibit transshipment of large-scale drift-net catches within areas under national jurisdiction;

(d) Hong Kong was not aware of any boats based in Hong Kong using large-scale pelagic drift-net fishing. In addition, the method was not used in Hong Kong territorial waters by foreign vessels.

3. Information provided by non-governmental organizations

15. In its submission of 25 April 1995 to the Secretary-General, the Cousteau Society submitted the following statement:

> "The Cousteau Society completely supports and reaffirms the importance of General Assembly decision 49/436, and completely supports and reaffirms the importance of a global moratorium on all large-scale pelagic drift-net fishing, as referred to in paragraphs 3 (c) and 4 of resolution 46/215.
>
> "Captain Cousteau has repeatedly spoken out about the destructive nature of drift-net fishing on fish stocks, and indeed worked actively to support the moratorium. Obviously, destructive fishing practices continue, but this does not mean that the higher goal of a full-scale moratorium should not be continuously sought, especially in view of the interests and rights of future generations."

16. In its reply of 30 June 1995, the Hellenic Marine Environment Protection Association (HELMEPA) informed the Secretary-General that although the issue of large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas was of concern to HELMEPA, the Association's membership did not include fishing vessels or fishermen. The Association was therefore not in a position to collect and provide information on the problems encountered in the implementation of resolution 46/215, nor had it had the opportunity to support its objectives in the appropriate forums.

17. In its response to the Secretary-General dated 30 June 1995, Greenpeace International stated that despite the European Council Regulation (EEC) No. 345/92 amending Council Regulation (EEC) No. 3094/86, which banned pelagic drift-nets longer than 2.5 kilometres, the European Union still had probably the largest large-scale, high seas drift-net fleet in the world and continued to act in contravention of General Assembly resolution 46/215 and subsequent General Assembly decisions with respect to drift-net fishing.

18. In its reply to the Secretary-General dated 13 July 1995, the Federation of Japan Tuna Fisheries Cooperative Associations made the following submission:

"...

"We are convinced that the United Nations should reconsider its course of action with regard to [General Assembly resolution 46/215] because:

(1) The resolution has lacked as its basis concrete scientific evidences to prove that drift-net fishing destroys the marine environment and damages the ecosystem;

(2) The decision-making process has bypassed the due considerations of scientific evidence; and therefore

(3) The process has failed to bring about a real consensus among the concerned parties.

"We understand that at regional levels through observer programmes and other kinds of scientific surveys, strenuous efforts had been made to collect data to study the impacts of drift-net fisheries on the related resources and to work out measures to remedy its ecological problems. However, despite such efforts, the United Nations General Assembly had neglected them altogether and without thorough scientific debates and without leaving the matter to the competent agency for further study, political and quick solutions were sought and the banning resolution was adopted.

"The resolution therefore inevitably has inherent problems and adoption of such resolution has left a stain upon the reputation of the United Nations.

"From the viewpoint of sustainable use of food resources, we would like to firmly request that the United Nations should take up this matter again totally from scratch and assign to the FAO, which is a specialized agency established under the United Nations to cope with issues of food security, duties of close examinations of accumulated data at this stage."

B. Atlantic Ocean

1. Information provided by States

19. In its reply of 9 June 1995, Guyana informed the Secretary-General that no illegal drift-net fishing had been reported in Guyanese waters and that no high seas drift-net fishing had been permitted by its authorities.

20. In its submission of 24 July 1995, the Netherlands reported to the Secretary-General that, in conformity with European Community regulation 345/92, Netherlands law prohibited the use and possession of drift-nets with a length of over 2.5 kilometres. Observance of this rule was enforced by the Fisheries Inspection Service and no infringements had ever been reported.

21. In its response to the Secretary-General dated 21 July 1995, Venezuela reported that under its legislation the use of drift-nets was prohibited for all vessels, either national or foreign, of length equal or exceeding 14 metres in zones under national jurisdiction and on the high seas. Any commercialization of fishery products harvested with the above-mentioned gear was also prohibited, even if the catches were made on the high seas by foreign fishing vessels. In addition, violations would be prosecuted in conformity with the Fisheries Law and its regulations, without prejudice to the revocation of fishing permits and the application of other applicable administrative sanctions.

2. Information provided by international organizations

22. In its submission of 30 May 1995, the International Commission for the Conservation of Atlantic Tunas (ICCAT) informed the Secretary-General that a resolution on large-scale pelagic drift-net fishing had been adopted by ICCAT at its ninth special meeting (Madrid, November-December 1994). In that resolution, ICCAT had called upon its member States, inter alia, to take greater enforcement responsibility to ensure that their nationals and fishing vessels complied with General Assembly resolution 46/215 and to impose the appropriate sanctions against their nationals and fishing vessels that would act contrary to the terms of that resolution. In addition, in its above-mentioned report to the Secretary-General (see para. 8) FAO indicated that ICCAT had advised it that, although the Commission was still in the process of collecting data for the 1994/95 period, there had been no reports of catches made by large-scale pelagic drift-nets in the Commission area.

23. In its reply of 20 June 1995 to the Secretary-General, the North Atlantic Salmon Conservation Organization (NASCO) indicated that it was not aware of any activities within the convention area which would be inconsistent with General Assembly decision 49/436.

24. In its response of 26 June 1995, the North Atlantic Fisheries Organization (NAFO) informed the Secretary-General that NAFO contracting parties had unanimously concurred with United Nations resolutions and decisions on the subject and that there had not been any large-scale pelagic drift-net fishing activity within the convention area during these years.

25. According to the FAO report to the Secretary-General, the Fishery Committee for the Eastern Central Atlantic (CECAF) had indicated that there were no reports of catches of large-scale pelagic drift-net fishing in the CECAF area during 1994/95.

26. In its submission to the Secretary-General dated 4 July 1995, the International Council for the Exploration of the Sea (ICES) reported that member States had informed it that they were unaware of any activities by their nationals in the ICES area which might be inconsistent with General Assembly resolution 46/215.

27. In its reply of 4 July 1995 to the Secretary-General, the North-East Atlantic Fisheries Commission (NEAFC) indicated that General Assembly decision 49/436 was of direct relevance to NEAFC in so far as it related to fishing on the high seas, although article 1.2 of the NEAFC Convention stated that the Convention did not apply to highly migratory species within the mandate of other international agreements such as ICCAT. None the less, NEAFC was not aware of any drift-net fishing being conducted in NEAFC's international waters. In addition, Norway, as a contracting party, had informed NEAFC that Norwegian vessels did not carry out large-scale pelagic drift-net fishing on the high seas. A very limited drift-net fishery for mackerel took place each spring in Norwegian coastal waters without by-catch problems. The short seasonal drift-net mackerel fishery was not considered to be of a scale or to involve wasteful fishing methods that would be inconsistent with the General Assembly resolutions and decisions on the issue.

3. Information provided by non-governmental organizations

28. In its above-mentioned report to the Secretary-General (see para. 17), Greenpeace International made the following submission:

> "In 1994, just before the so-called 'tuna war' started in the North-East Atlantic, illegal French, Irish and United Kingdom drift-netters were detected both by Spanish fishermen and Spanish fisheries control boats. Conflicts arose between Spanish fishermen (which use traditional gears in the albacore fishery) and drift-net fishermen from other countries; a French drift-net vessel was seized by several Spanish live-bait and pole-and-line boats.
>
> "It is common knowledge that nets of 2.5 kilometres in length are not economically viable, neither in the Mediterranean swordfish fishery, nor in the North-East Atlantic albacore fishery. Therefore, in Greenpeace's view, illegal large-scale drift-net fishing is bound to continue in the North-East Atlantic if high seas drift-net fishing is not altogether banned and effective enforcement action taken. Furthermore, because of the incompatibility between drift-nets and other more selective gears in the same fishing areas, conflicts among fleets are expected again this year.
>
> "EU authorities are well aware of the non-implementation of the EU Regulation and the United Nations moratorium. The European Commission

stated in its communication to the European Union Council of Ministers on 8 April 1994 that:

> 'The allowing of nets up to 2.5 kilometres long has to be seriously questioned. First of all, it is a cardinal factor in fraud. Secondly, it is an avenue through which the use of drift-nets can be expanded.'

"This year, in reaction to the violent conflicts provoked by large-scale illegal drift-netting in the North-East Atlantic last year, the EU member States involved and the European Commission are deploying no less than seven patrol vessels in the area. The proportion of patrol vessels, concentrated in the area where the smallest portion of the EU drift-net fleet operates (less than 90 drift-net vessels), shows the tremendous difficulty involved in enforcing the 2.5 kilometre length limit imposed by the EU Regulation.

"It remains to be seen whether this unprecedented and costly level of control will result in the effective enforcement of the EU Regulation throughout the season. Greenpeace has repeatedly warned that attempting to regulate drift-nets through means of a length limit was impossible for a fleet of over 700 vessels operating in both the North-East Atlantic and the Mediterranean Sea.

"..."

C. Baltic Sea

29. In its submission to the Secretary-General dated 11 September 1995, Finland indicated that General Assembly resolution 46/215 on large-scale pelagic drift-net fishing had not caused any measures to be taken in Finland since drift-nets used for salmon fishing in the Baltic Sea were smaller than those used in the oceans and no other fish were caught in this type of salmon fishing.

D. Indian Ocean and South China Sea

1. Information provided by States

30. In its report to the Secretary-General dated 21 June 1995, Sri Lanka made the following submission:

"There is no large-scale pelagic drift-net fishing in the high seas by Sri Lankan fishermen. Permits are granted by Sri Lanka to fishing boats of foreign origin to land fish in Sri Lankan ports caught in the high seas using long lines only.

"Sri Lanka is committed to conservation and sustainable development of fisheries. Accordingly, a new Fisheries and Aquatic Resources Bill has been formulated for which the approval of the Cabinet of Ministers has been obtained. It will be submitted to Parliament in due course. There are

provisions in this Bill for licensing of all major fishing activities and a separate section on conservation of fisheries. Once the Bill becomes law, strict enforcement of the legislation would be undertaken. Even the provisions of the present Fisheries Ordinance on conservation are enforced.

"..."

31. In its reply of 10 August 1995 to the Secretary-General, Thailand made the following submission:

"At the outset, it should be mentioned that the drift-nets being used by the Thai fisheries are of a different type from those referred to in decision 49/436. However, the Department of Fisheries has conducted a study to evaluate the impact of drift-nets of 2.5 and 9.5 kilometres and found that no endangered species (sea turtles, dugongs and dolphins) could be found to have been caught. The drift-nets used by the Thai fishers thus have caused no impact on the living marine resources or marine ecosystem as required by the decision."

2. Information provided by international organizations

32. According to the above-mentioned report of FAO (see para. 8) to the Secretary-General, the Indo-Pacific Tuna Development and Management Programme (IPTP) had indicated that in the Indian Ocean there had been no reports of fishing with large-scale pelagic drift-nets since Taiwan, Province of China, had taken measures to prevent the use of this type of gear by its flag vessels.

E. The Mediterranean

1. Information provided by States

33. In its response to the Secretary-General dated 13 June 1995, Cyprus stated that no drift-net fishing from Cyprus flag vessels took place in the Mediterranean, either inside or outside the territorial sea limits of Cyprus. In addition, it stressed that the relevant legislation allowed the Department of Fisheries to deny fishing permits to drift-net fishing operations.

34. In its report dated 25 June 1995, Morocco informed the Secretary-General that drift-nets had been authorized only for artisanal coastal fishery without modern technical capability operating in areas under Moroccan jurisdiction. This type of fishing was limited to the Moroccan Mediterranean coastal area and did not bear any similarity with large-scale pelagic drift-nets, the use of which had been consistently denounced by Morocco. Furthermore, Morocco had established technical regulations restricting the use and scope of this small-scale drift-net fishing. Foreign fishing fleets authorized to operate in areas under national jurisdiction were forbidden to practice drift-net fishing.

2. Information provided by international organizations

35. In its report to the Secretary-General, FAO indicated that the General Fisheries Council for the Mediterranean (GFCM) had advised that there had been no complaints from members concerning fishing with large-scale pelagic drift-nets in the 1994/95 period. Some GFCM members had made a substantial effort to reduce this type of fishing in the region.

3. Information provided by non-governmental organizations

36. In its above-mentioned report to the Secretary-General, Greenpeace International indicated that:

> "Large scale high-seas drift-net fishing is continuing in 1995. The Italian swordfish drift-net fleet, consisting (as it has for the past several years) of more than 600 vessels, continues to operate in contravention of European Union regulations, using an average net length of 12.5 kilometres per vessel. Illegal Italian drift-netters currently moor in Italian harbours, carrying on board large-scale illegal nets with total impunity.
>
> "On 4 May 1995, a sperm-whale calf appeared on Posilippo beach (Naples, Italy) with the tail cut. This is a common practice among fishermen to release cetaceans from drift-nets. On 6 May 1995, three sperm whales were discovered entangled in a piece of drift-net 30 nautical miles from South Sardinia.
>
> "On 5 May 1995, the Spanish Army arrested an illegal Italian drift-netter while operating in Spanish territorial waters. An unknown number of other illegal boats were detected in the vicinity, fishing in international waters. According to Spanish fishermen, since May 1995, sights of illegal Italian drift-netters have been frequent in the international waters of the western Mediterranean, both in the Balearic Sea and between the Balearic Islands and the Spanish mainland.
>
> "In a recent survey, in June 1995, the Greenpeace vessel MV Greenpeace has detected dozens of large-scale drift-nets in the eastern Mediterranean. Encounters with three vessels in particular showed that they were using nets that measured at least between 7 and 10 kilometres in length. The drift-net vessel Diomede I had set its net, estimated at 7 kilometres in length, in a cargo shipping traffic lane. The net had already been cut by a propeller of a passing ship when the MV Greenpeace arrived.
>
> "On 27 June, in the western Mediterranean, an illegal Italian drift-netter was found selling swordfish in Minorca harbour, Spain. Spanish authorities measured the net, which was 4.5 kilometres long, and confiscated 2 kilometres of net from the vessel. Before the authorities could take further legal action, the vessel escaped from the harbour. This is the second time the Spanish authorities have found an illegal Italian drift-netter in Spanish waters this year.

"Greek fishermen have regularly contacted Greenpeace to report the presence of Italian drift-net vessels fishing in the Ionian Sea. As in recent years, it appears that the fishing area of the illegal Italian fleet continues to cover almost all international waters of the Mediterranean, although a small reduction of the fleet has been noticed in the waters off Spain (probably as a result of environmentalists' protests as well as repeated arrests by the Spanish Navy).

"But this does not necessarily indicate that the fleet is decreasing. Greenpeace has been informed about contacts between interested parties to export Italian drift-nets to Tunisia. Rumours also mention Malta, Albania and Croatia. Italian drift-net vessels may also be reflagging to some of those countries.

"Morocco is developing a pelagic drift-net fishery and Moroccan fishermen have been buying drift-nets from Spanish suppliers. This new fishery is being developed in the absence of studies on its potential environmental impact. There is no assessment of the swordfish population, the main target species. Even though swordfish is a major commercial species, no appropriate management measures have been put in place. Data on fleet size, net lengths, fishing areas and incidental catches are not publicly available, if they exist at all.

"..."

F. Pacific Ocean

1. Information provided by States

37. In a note dated 18 May 1995 addressed to the Secretary-General, Fiji made the following submission:

"Fiji has provision and has undertaken the following measures at the national level which are consistent with the above-mentioned resolution. Fiji has signed and ratified the Wellington Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific Region. The Wellington Convention entered into force on 17 May 1991.

"In its national laws, there is a legislative provision which provides for administrative and operational flexibility to address the problem of the continued use of drift-nets. In particular, your attention is drawn to subsection 1 (d) of section 22 of the Marine Space Acts (chapter 158A of the Laws of Fiji), which states that: 'The Minister may prescribe the classes of licences, whether by reference to the size of the vessel, size of catch, method of fishing, species of catch or otherwise.' Under section 15 of the aforementioned legislation, the Minister responsible for fisheries may suspend or cancel a licence to fish granted to a foreign fishing vessel where there has been a determination that such vessel has contravened any regulations which have prescribed, inter alia, methods of fishing.

"Having regard to the foregoing, Fiji believes that it has an appropriate legal regime which, when fully utilized, will contribute to the effective implementation of the desire of the international community to halt the practice of drift-net fishing.

"..."

38. In its report to the Secretary-General dated 18 May 1995, the Federated States of Micronesia indicated that section III (4)(c) of Title 24 (Marine resources) of the Code of the Federated States of Micronesia provided that a permit application might be denied in the case "where the [Micronesian Maritime] Authority determines that the permit would authorize fishing with or by means of the use of drift-net or gill net or other substantially similar method of catching fish". In addition, the Federated States of Micronesia is party to both the Tarawa Declaration, outlawing drift-netting in the South Pacific Forum region, and the Wellington Convention.

39. In its above-mentioned report to the Secretary-General (see para. 11), the United States of America gave the following information:

"In December 1994, the United States and the People's Republic of China extended for two years a Memorandum of Understanding designed to ensure effective cooperation and implementation of resolution 46/215. Under the terms of the agreement, originally signed on 3 December 1993, enforcement officials of either country may board and inspect vessels flying the United States or People's Republic of China flag in the North Pacific Ocean found using or equipped to use large-scale high seas pelagic drift-nets inconsistent with the provisions of resolution 46/215.

"The agreement also provides for enforcement officials of either country to ride on board high seas drift-net fishery enforcement vessels of the other country. The United States Coast Guard will carry People's Republic of China ship riders on two high seas fishery enforcement patrols this year in areas of former large-scale high seas drift-net fishing activity. During one of these patrols, the United States Coast Guard and the Russian Federal Border Service will conduct a coordinated high seas drift-net fishing surveillance operation.

"The United States Coast Guard's high seas enforcement plan for 1995 will include over 110 days of cutter patrols and an estimated 215 hours of airborne surveillance from United States Coast Guard air patrols based in Alaska and Hawaii. These flights will be coordinated with similar enforcement efforts by Canada to provide maximum patrol-area coverage."

40. In its above-mentioned submission to the Secretary-General (see para. 12), New Zealand indicated that there had been no drift-net activity within the areas under its jurisdiction over the past 12 months. It reiterated also its call for all countries eligible to do so to support fully the Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific and its two Protocols.

41. In its reply of 1 June 1995, the Cook Islands informed the Secretary-General that its Government had taken measures to prevent large-scale pelagic drift-net fishing operations on the high seas by ratifying the Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific (Wellington Convention) on 24 January 1990. Since the entry into force of the Wellington Convention, there had been no reports of activity in the Cook Islands exclusive economic zone or adjacent high seas involving the use of large-scale drift-nets. In addition, the Cook Islands enacted in 1989 the Marine Resources Act which, under section 15, banned any fishing vessel from being used or assisting any drift-net fishing in the Cook Islands or the fishing waters thereof. The Act also made it an offence for any Cook Islands national to engage or assist in any drift-net fishing activities. Where any fishing vessel was used in contravention of the Act, the owner, charterer and master each committed an offence and would be liable upon conviction to a fine not exceeding $NZ 250,000. Fishing activity in the exclusive economic zone of the Cook Islands was monitored by the Cook Islands Ministry of Marine Resources. Regular inspections were carried out by patrol boats from Australia, New Zealand and the Cook Islands and air patrols were undertaken by naval aircraft from Australia, New Zealand and France. Dockside inspections of foreign fishing vessels were carried out at ports of unloading in the region such as Pago Pago, American Samoa, and any irregularities were reported to the Ministry of Marine Resources. Beginning in 1996, the monitoring of fishing vessels operating in the region would be significantly enhanced through the introduction of a regional vessel monitoring system, which would provide an accurate picture of fishing vessel activity on a near real-time basis.

42. In its submission of 1 August 1995 to the Secretary-General, China provided the following information:

> "...
>
> "Following the adoption of General Assembly resolution 44/225 on 22 December 1989, the Ministry of Agriculture of the People's Republic of China officially issued the text of that resolution on 10 November 1990 and called upon local government authorities and fisheries enterprises to follow its provisions strictly. The Ministry further decided that it would no longer approve applications for the development of large-scale pelagic drift-net fishing operations on the high seas. At the same time, the Ministry required the six vessels that had already obtained permission to use drift-nets for fishing on the high seas to suspend their use of large-scale pelagic drift-nets, in accordance with General Assembly resolution 44/225.
>
> "On 13 February 1993, the Ministry of Agriculture of China issued a regulation prohibiting the use of large-scale drift-nets on the high seas and notified local Chinese government authorities and fisheries enterprises of that regulation. The regulation reiterated the Chinese Government's ban on the use of large-scale drift-nets in fishing operations on the high seas by all vessels of Chinese registry. Vessels violating that regulation would be subject to the following penalties:

(1) Determination of the administrative responsibility to be borne by the head of the unit operating the vessel;

(2) Confiscation of the catch, the fishing gear used and the income derived from the violation, and the imposition of a fine; and

(3) Suspension or revocation of the credentials of the offending vessel's crew.

"...

"In May of 1993, two vessels registered in China for long-line fishing (the Yinyu No. 601 and Yinyu No. 602) were discovered to have large-scale drift-nets on board without permission and to be engaging in drift-net fishing operations in the waters of the North Pacific in violation of General Assembly resolution 46/215 and the relevant Chinese Government regulations. During the same month the Dayuanyu No. 206 illegally flew the Chinese national flag in the waters of the North Pacific, despite having had its registry revoked by China, and carried large-scale drift-net equipment on board. The Ministry of Agriculture of China has imposed penalties on all three vessels in accordance with the provisions of Chinese domestic laws and regulations.

"...

"On 3 December 1993, for the purpose of effective cooperation and implementation of General Assembly resolution 46/215, representatives of the Government of the People's Republic of China and the Government of the United States of America signed the Memorandum of Understanding Between the Government of the People's Republic of China and the Government of the United States of America on Effective Cooperation and Implementation of United Nations General Assembly Resolution 46/215 of December 20, 1991. That Memorandum entered into force on the date of signature. No fishing vessels were found to be in violation of relevant United Nations resolutions during the period that the Memorandum was in force. In December 1994, in order to further strengthen this international cooperation, the Governments of China and the United States of America decided to extend the period of validity of the Memorandum to 31 December 1996. Officials of China and the United States have already begun conducting cooperative joint boardings and inspections of vessels in the waters of the North Pacific."

2. Information provided by international organizations

43. In its above-mentioned report to the Secretary-General (para. 6), the South Pacific Forum Fisheries Agency (FFA) drew attention to the fact that the Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific had entered into force on 17 May 1991. It had been signed by 14 FFA member countries, the most recent being Fiji in August 1993. Seven other countries and the New Zealand Protectorate of Tokelau had ratified the

Convention. The United States had signed and ratified Protocol I to the Convention, while Chile had signed and ratified Protocol II.

44. In its reply to the Secretary-General dated 26 May 1995, the North Pacific Anadromous Fish Commission (NPAFC) submitted the following information:

> "The Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean was signed at Moscow on 11 February 1992 by Canada, Japan, the Russian Federation and the United States and came into force on 16 February 1993. The Convention prohibits directed fishing for anadromous fish (Pacific salmon and steelhead trout) on the high seas of the North Pacific Ocean and also includes measures to minimize the amount of anadromous fish taken in other fisheries. The parties to the Convention are allowed to take action individually or collectively to prevent unauthorized fishing activities by others, and to prevent trafficking in illegally harvested anadromous fish. Each party has the authority to board, inspect and detail fishing vessels found operating in violation of the Convention. Thus, though the Convention was not elaborated to implement General Assembly resolution 46/215 or to prohibit large-scale pelagic drift-net fishing itself as described in the resolution, this Convention has eventually contributed to the implementation of the resolution, by prohibiting directed fishing for anadromous fish on the high seas area of the North Pacific Ocean, where fishing had been mainly conducted by using drift-nets.
>
> "The Convention established the North Pacific Anadromous Fish Commission in order to promote the conservation of anadromous stocks in the North Pacific Ocean and its adjacent seas and serve as a forum for the cooperation and coordination of enforcement activities, and scientific research.
>
> "The Commission reviewed the enforcement activities by each party at its 1993 and 1994 annual meetings.
>
> "...
>
> "In 1994 there was one drift-net vessel encountered that had gill nets visible on the deck. The vessel could not be identified and efforts to apprehend the vessel were unsuccessful.
>
> "All parties to the Convention will implement their enforcement plans during the current year.
>
> "At the second annual meeting - 1994, the view was expressed that success in achieving the goals of the Convention related to the cooperative enforcement activities of the parties.
>
> "..."

45. In its report to the Secretary-General, FAO indicated that the Inter-American Tropical Tuna Commission had advised that there was no evidence

that large-scale pelagic drift-net fishing had occurred in the Eastern Pacific Ocean in 1994/95.

Notes

1/ In resolution 46/215 the General Assembly called, inter alia, for full implementation of a global moratorium on all large-scale pelagic drift-net fishing on the high seas.

2/ See A/46/615, para. 15.